



Rep. Michael J. Madigan

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LRB096 11187 HLH 27141 a

1 AMENDMENT TO SENATE BILL 2090

2 AMENDMENT NO. _____. Amend Senate Bill 2090 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Civil Administrative Code of Illinois is
5 amended by changing Sections 5-310, 5-315, 5-320, 5-325, 5-330,
6 5-335, 5-340, 5-345, 5-350, 5-355, 5-360, 5-362, 5-365, 5-370,
7 5-375, 5-385, 5-390, 5-395, 5-400, 5-405, 5-410, 5-415, and
8 5-420 as follows:

9 (20 ILCS 5/5-310) (was 20 ILCS 5/9.21)

10 Sec. 5-310. In the Department on Aging. The Director of
11 Aging shall receive an annual salary ~~as set by the Governor~~
12 ~~from time to time or~~ as set by the Compensation Review Board,
13 ~~whichever is greater.~~

14 (Source: P.A. 91-25, eff. 6-9-99; 91-239, eff. 1-1-00; 92-16,
15 eff. 6-28-01.)

1 (20 ILCS 5/5-315) (was 20 ILCS 5/9.02)

2 Sec. 5-315. In the Department of Agriculture. The Director
3 of Agriculture shall receive an annual salary ~~as set by the~~
4 ~~Governor from time to time or~~ as set by the Compensation Review
5 Board, ~~whichever is greater.~~

6 The Assistant Director of Agriculture shall receive an
7 annual salary ~~as set by the Governor from time to time or~~ as
8 set by the Compensation Review Board, ~~whichever is greater.~~

9 (Source: P.A. 91-25, eff. 6-9-99; 91-239, eff. 1-1-00; 92-16,
10 eff. 6-28-01.)

11 (20 ILCS 5/5-320) (was 20 ILCS 5/9.19)

12 Sec. 5-320. In the Department of Central Management
13 Services. The Director of Central Management Services shall
14 receive an annual salary as set ~~by the Governor from time to~~
15 ~~time or an amount set~~ by the Compensation Review Board,
16 ~~whichever is greater.~~

17 Each Assistant Director of Central Management Services
18 shall receive an annual salary as set ~~by the Governor from time~~
19 ~~to time or an amount set~~ by the Compensation Review Board,
20 ~~whichever is greater.~~

21 (Source: P.A. 91-25, eff. 6-9-99; 91-239, eff. 1-1-00; 92-16,
22 eff. 6-28-01.)

23 (20 ILCS 5/5-325) (was 20 ILCS 5/9.16)

24 Sec. 5-325. In the Department of Children and Family

1 Services. The Director of Children and Family Services shall
2 receive an annual salary ~~as set by the Governor from time to~~
3 ~~time or~~ as set by the Compensation Review Board, ~~whichever is~~
4 ~~greater.~~

5 (Source: P.A. 91-25, eff. 6-9-99; 91-239, eff. 1-1-00; 92-16,
6 eff. 6-28-01.)

7 (20 ILCS 5/5-330) (was 20 ILCS 5/9.18)

8 Sec. 5-330. In the Department of Commerce and Economic
9 Opportunity. The Director of Commerce and Economic Opportunity
10 shall receive an annual salary ~~as set by the Governor from time~~
11 ~~to time or~~ as set by the Compensation Review Board, ~~whichever~~
12 ~~is greater.~~

13 The Assistant Director of Commerce and Economic
14 Opportunity shall receive an annual salary ~~as set by the~~
15 ~~Governor from time to time or~~ as set by the Compensation Review
16 Board, ~~whichever is greater.~~

17 (Source: P.A. 94-793, eff. 5-19-06.)

18 (20 ILCS 5/5-335) (was 20 ILCS 5/9.11a)

19 Sec. 5-335. In the Department of Corrections. The Director
20 of Corrections shall receive an annual salary ~~as set by the~~
21 ~~Governor from time to time or~~ as set by the Compensation Review
22 Board, ~~whichever is greater.~~

23 The Assistant Director of Corrections - Adult Division
24 shall receive an annual salary ~~as set by the Governor from time~~

1 ~~to time or~~ as set by the Compensation Review Board, ~~whichever~~
2 ~~is greater.~~

3 (Source: P.A. 94-696, eff. 6-1-06.)

4 (20 ILCS 5/5-340) (was 20 ILCS 5/9.30)

5 Sec. 5-340. In the Department of Employment Security. The
6 Director of Employment Security shall receive an annual salary
7 ~~of as set by the Governor from time to time or an amount set by~~
8 the Compensation Review Board, ~~whichever is greater.~~

9 Each member of the Board of Review shall receive \$15,000.

10 (Source: P.A. 91-25, eff. 6-9-99; 91-239, eff. 1-1-00; 92-16,
11 eff. 6-28-01.)

12 (20 ILCS 5/5-345) (was 20 ILCS 5/9.15)

13 Sec. 5-345. In the Department of Financial Institutions.
14 The Director of Financial Institutions shall receive an annual
15 salary ~~as set by the Governor from time to time or~~ as set by the
16 Compensation Review Board, ~~whichever is greater.~~

17 The Assistant Director of Financial Institutions shall
18 receive an annual salary ~~as set by the Governor from time to~~
19 ~~time or~~ as set by the Compensation Review Board, ~~whichever is~~
20 ~~greater.~~

21 (Source: P.A. 91-25, eff. 6-9-99; 91-239, eff. 1-1-00; 92-16,
22 eff. 6-28-01.)

23 (20 ILCS 5/5-350) (was 20 ILCS 5/9.24)

1 Sec. 5-350. In the Department of Human Rights. The Director
2 of Human Rights shall receive an annual salary ~~as set by the~~
3 ~~Governor from time to time or~~ as set by the Compensation Review
4 Board, ~~whichever is greater.~~

5 (Source: P.A. 91-25, eff. 6-9-99; 91-239, eff. 1-1-00; 92-16,
6 eff. 6-28-01.)

7 (20 ILCS 5/5-355) (was 20 ILCS 5/9.05a)

8 Sec. 5-355. In the Department of Human Services. The
9 Secretary of Human Services shall receive an annual salary as
10 set ~~by the Governor from time to time or such other amount as~~
11 ~~may be set~~ by the Compensation Review Board, ~~whichever is~~
12 ~~greater.~~

13 The Assistant Secretaries of Human Services shall each
14 receive an annual salary as set ~~by the Governor from time to~~
15 ~~time or such other amount as may be set~~ by the Compensation
16 Review Board, ~~whichever is greater.~~

17 (Source: P.A. 91-25, eff. 6-9-99; 91-239, eff. 1-1-00; 92-16,
18 eff. 6-28-01.)

19 (20 ILCS 5/5-360) (was 20 ILCS 5/9.10)

20 Sec. 5-360. In the Department of Insurance. The Director of
21 Insurance shall receive an annual salary ~~as set by the Governor~~
22 ~~from time to time or~~ as set by the Compensation Review Board, ~~7~~
23 ~~whichever is greater.~~

24 The Assistant Director of Insurance shall receive an annual

1 salary ~~as set by the Governor from time to time or~~ as set by the
2 Compensation Review Board, ~~whichever is greater.~~

3 (Source: P.A. 91-25, eff. 6-9-99; 91-239, eff. 1-1-00; 92-16,
4 eff. 6-28-01.)

5 (20 ILCS 5/5-362)

6 Sec. 5-362. In the Department of Juvenile Justice. The
7 Director of Juvenile Justice shall receive an annual salary ~~as~~
8 ~~set by the Governor from time to time or~~ as set by the
9 Compensation Review Board, ~~whichever is greater.~~

10 (Source: P.A. 94-696, eff. 6-1-06.)

11 (20 ILCS 5/5-365) (was 20 ILCS 5/9.03)

12 Sec. 5-365. In the Department of Labor. The Director of
13 Labor shall receive an annual salary ~~as set by the Governor~~
14 ~~from time to time or~~ as set by the Compensation Review Board,
15 ~~whichever is greater.~~

16 The Assistant Director of Labor shall receive an annual
17 salary ~~as set by the Governor from time to time or~~ as set by the
18 Compensation Review Board, ~~whichever is greater.~~

19 The Chief Factory Inspector shall receive \$24,700 from the
20 third Monday in January, 1979 to the third Monday in January,
21 1980, and \$25,000 thereafter, or as set by the Compensation
22 Review Board, whichever is greater.

23 The Superintendent of Safety Inspection and Education
24 shall receive \$27,500, or as set by the Compensation Review

1 Board, whichever is greater.

2 The Superintendent of Women's and Children's Employment
3 shall receive \$22,000 from the third Monday in January, 1979 to
4 the third Monday in January, 1980, and \$22,500 thereafter, or
5 as set by the Compensation Review Board, whichever is greater.

6 (Source: P.A. 91-25, eff. 6-9-99; 91-239, eff. 1-1-00; 92-16,
7 eff. 6-28-01.)

8 (20 ILCS 5/5-370) (was 20 ILCS 5/9.31)

9 Sec. 5-370. In the Department of the Lottery. The Director
10 of the Lottery shall receive an annual salary as set ~~by the~~
11 ~~Governor from time to time or an amount set~~ by the Compensation
12 Review Board, ~~whichever is greater.~~

13 (Source: P.A. 91-25, eff. 6-9-99; 91-239, eff. 1-1-00; 92-16,
14 eff. 6-28-01.)

15 (20 ILCS 5/5-375) (was 20 ILCS 5/9.09)

16 Sec. 5-375. In the Department of Natural Resources. The
17 Director of Natural Resources shall continue to receive the
18 annual salary set by law for the Director of Conservation until
19 January 20, 1997. Beginning on that date, the Director of
20 Natural Resources shall receive an annual salary as set ~~by the~~
21 ~~Governor from time to time or the amount set~~ by the
22 Compensation Review Board, ~~whichever is greater.~~

23 The Assistant Director of Natural Resources shall continue
24 to receive the annual salary set by law for the Assistant

1 Director of Conservation until January 20, 1997. Beginning on
2 that date, the Assistant Director of Natural Resources shall
3 receive an annual salary as set ~~by the Governor from time to~~
4 ~~time or the amount set~~ by the Compensation Review Board,
5 ~~whichever is greater.~~

6 (Source: P.A. 91-25, eff. 6-9-99; 91-239, eff. 1-1-00; 92-16,
7 eff. 6-28-01.)

8 (20 ILCS 5/5-385) (was 20 ILCS 5/9.25)

9 Sec. 5-385. In the Department of Nuclear Safety. The
10 Director of Nuclear Safety shall receive an annual salary ~~as~~
11 ~~set by the Governor from time to time or~~ as set by the
12 Compensation Review Board, ~~whichever is greater.~~

13 (Source: P.A. 91-25, eff. 6-9-99; 91-239, eff. 1-1-00; 92-16,
14 eff. 6-28-01.)

15 (20 ILCS 5/5-390) (was 20 ILCS 5/9.08)

16 Sec. 5-390. In the Department of Professional Regulation.
17 The Director of Professional Regulation shall receive an annual
18 salary ~~as set by the Governor from time to time or~~ as set by the
19 Compensation Review Board, ~~whichever is greater.~~

20 (Source: P.A. 91-25, eff. 6-9-99; 91-239, eff. 1-1-00; 92-16,
21 eff. 6-28-01.)

22 (20 ILCS 5/5-395) (was 20 ILCS 5/9.17)

23 Sec. 5-395. In the Department of Healthcare and Family

1 Services. The Director of Healthcare and Family Services shall
2 receive an annual salary ~~as set by the Governor from time to~~
3 ~~time or~~ as set by the Compensation Review Board, ~~whichever is~~
4 ~~greater.~~

5 The Assistant Director of Healthcare and Family Services
6 shall receive an annual salary ~~as set by the Governor from time~~
7 ~~to time or~~ as set by the Compensation Review Board, ~~whichever~~
8 ~~is greater.~~

9 (Source: P.A. 95-331, eff. 8-21-07.)

10 (20 ILCS 5/5-400) (was 20 ILCS 5/9.07)

11 Sec. 5-400. In the Department of Public Health. The
12 Director of Public Health shall receive an annual salary ~~as set~~
13 ~~by the Governor from time to time or~~ as set by the Compensation
14 Review Board, ~~whichever is greater.~~

15 The Assistant Director of Public Health shall receive an
16 annual salary ~~as set by the Governor from time to time or~~ as
17 set by the Compensation Review Board, ~~whichever is greater.~~

18 (Source: P.A. 91-25, eff. 6-9-99; 91-239, eff. 1-1-00; 92-16,
19 eff. 6-28-01.)

20 (20 ILCS 5/5-405) (was 20 ILCS 5/9.12)

21 Sec. 5-405. In the Department of Revenue. The Director of
22 Revenue shall receive an annual salary ~~as set by the Governor~~
23 ~~from time to time or~~ as set by the Compensation Review Board,
24 ~~whichever is greater.~~

1 The Assistant Director of Revenue shall receive an annual
2 salary ~~as set by the Governor from time to time or~~ as set by the
3 Compensation Review Board, ~~whichever is greater.~~

4 (Source: P.A. 91-25, eff. 6-9-99; 91-239, eff. 1-1-00; 91-798,
5 eff. 7-9-00.)

6 (20 ILCS 5/5-410) (was 20 ILCS 5/9.11)

7 Sec. 5-410. In the Department of State Police. The Director
8 of State Police shall receive an annual salary ~~as set by the~~
9 ~~Governor from time to time or~~ as set by the Compensation Review
10 Board, ~~whichever is greater.~~

11 The Assistant Director of State Police shall receive an
12 annual salary ~~as set by the Governor from time to time or~~ as
13 set by the Compensation Review Board, ~~whichever is greater.~~

14 (Source: P.A. 91-25, eff. 6-9-99; 91-239, eff. 1-1-00; 92-16,
15 eff. 6-28-01.)

16 (20 ILCS 5/5-415) (was 20 ILCS 5/9.05)

17 Sec. 5-415. In the Department of Transportation. The
18 Secretary of Transportation shall receive an annual salary ~~as~~
19 ~~set by the Governor from time to time or~~ as set by the
20 Compensation Review Board, ~~whichever is greater.~~

21 The Assistant Secretary of Transportation shall receive an
22 annual salary ~~as set by the Governor from time to time or~~ as
23 set by the Compensation Review Board, ~~whichever is greater.~~

24 (Source: P.A. 91-25, eff. 6-9-99; 91-239, eff. 1-1-00; 92-16,

1 eff. 6-28-01.)

2 (20 ILCS 5/5-420) (was 20 ILCS 5/9.22)

3 Sec. 5-420. In the Department of Veterans' Affairs. The
4 Director of Veterans' Affairs shall receive an annual salary ~~as~~
5 ~~set by the Governor from time to time or~~ as set by the
6 Compensation Review Board, ~~whichever is greater.~~

7 The Assistant Director of Veterans' Affairs shall receive
8 an annual salary ~~as set by the Governor from time to time or~~ as
9 set by the Compensation Review Board, ~~whichever is greater.~~

10 (Source: P.A. 91-25, eff. 6-9-99; 91-239, eff. 1-1-00; 92-16,
11 eff. 6-28-01.)

12 Section 10. The Military Code of Illinois is amended by
13 changing Section 17 as follows:

14 (20 ILCS 1805/17) (from Ch. 129, par. 220.17)

15 Sec. 17. The Adjutant General and the Assistant Adjutants
16 General shall give their entire time to their military duties.
17 The Adjutant General shall receive an annual salary ~~as set by~~
18 ~~the Governor from time to time or~~ as set by the Compensation
19 Review Board, ~~whichever is greater,~~ and each Assistant Adjutant
20 General shall receive an annual salary ~~as set by the Governor~~
21 ~~from time to time or~~ as set by the Compensation Review Board, ~~7~~
22 ~~whichever is greater. If set by the Governor, those annual~~
23 ~~salaries may not exceed 85% of the Governor's annual salary.~~

1 (Source: P.A. 91-25, eff. 6-9-99.)

2 Section 15. The State Fire Marshal Act is amended by
3 changing Section 1 as follows:

4 (20 ILCS 2905/1) (from Ch. 127 1/2, par. 1)

5 Sec. 1. There is hereby created the Office of the State
6 Fire Marshal, hereinafter referred to as the Office.

7 The Office shall be under an executive director who shall
8 be appointed by the Governor with the advice and consent of the
9 Senate.

10 The executive director of the Office shall be known as the
11 State Fire Marshal and shall receive an annual salary ~~as set by~~
12 ~~the Governor from time to time or~~ as set by the Compensation
13 Review Board, ~~whichever is greater. If set by the Governor, the~~
14 ~~annual salary may not exceed 85% of the annual salary of the~~
15 ~~Governor.~~

16 The Office of the State Fire Marshal shall have a division
17 that shall assume the duties of the Division of Fire
18 Prevention, Department of Law Enforcement, and a division that
19 shall assume the duties of Illinois Fire Protection Personnel
20 Standards and Education Commission. Each division shall be
21 headed by a division manager who shall be employed by the Fire
22 Marshal, subject to the Personnel Code, and shall be
23 responsible to the Fire Marshal.

24 (Source: P.A. 94-178, eff. 1-1-06.)

1 Section 20. The Office of Banks and Real Estate Act is
2 amended by changing Section 1 as follows:

3 (20 ILCS 3205/1) (from Ch. 17, par. 451)

4 Sec. 1. Salary.

5 (a) The Commissioner of Banks and Trust Companies shall
6 receive an annual salary ~~as set by the Governor from time to~~
7 ~~time or~~ as set by the Compensation Review Board, ~~whichever is~~
8 ~~greater~~, payable in equal monthly installments. The First
9 Deputy Commissioner shall receive an annual salary ~~as set by~~
10 ~~the Governor from time to time or~~ as set by the Compensation
11 Review Board, ~~whichever is greater~~, and the other deputy
12 commissioners shall receive an annual salary of \$38,000, or as
13 set by the Compensation Review Board, whichever is greater,
14 each payable in equal monthly installments. ~~If set by the~~
15 ~~Governor, those annual salaries may not exceed 85% of the~~
16 ~~Governor's annual salary.~~

17 (b) The Commissioner of the Office of Banks and Real Estate
18 shall receive the annual salary provided by law for the
19 Commissioner of Banks and Trust Companies until the General
20 Assembly or the Compensation Review Board establishes a salary
21 for the Commissioner of the Office of Banks and Real Estate.
22 The First Deputy Commissioner and Deputy Commissioners of the
23 Office of Banks and Real Estate shall receive the annual
24 salaries provided by law for the First Deputy Commissioner and

1 Deputy Commissioners of Banks and Trust Companies,
2 respectively, until the General Assembly or the Compensation
3 Review Board establishes salaries for the First Deputy
4 Commissioner and Deputy Commissioners of the Office of Banks
5 and Real Estate.

6 (Source: P.A. 91-25, eff. 6-9-99.)

7 Section 25. The Illinois Emergency Management Agency Act is
8 amended by changing Section 5 as follows:

9 (20 ILCS 3305/5) (from Ch. 127, par. 1055)

10 Sec. 5. Illinois Emergency Management Agency.

11 (a) There is created within the executive branch of the
12 State Government an Illinois Emergency Management Agency and a
13 Director of the Illinois Emergency Management Agency, herein
14 called the "Director" who shall be the head thereof. The
15 Director shall be appointed by the Governor, with the advice
16 and consent of the Senate, and shall serve for a term of 2
17 years beginning on the third Monday in January of the
18 odd-numbered year, and until a successor is appointed and has
19 qualified; except that the term of the first Director appointed
20 under this Act shall expire on the third Monday in January,
21 1989. The Director shall not hold any other remunerative public
22 office. The Director shall receive an annual salary as set ~~by~~
23 ~~the Governor from time to time or the amount set~~ by the
24 Compensation Review Board, ~~whichever is higher. If set by the~~

1 ~~Governor, the Director's annual salary may not exceed 85% of~~
2 ~~the Governor's annual salary.~~

3 (b) The Illinois Emergency Management Agency shall obtain,
4 under the provisions of the Personnel Code, technical,
5 clerical, stenographic and other administrative personnel, and
6 may make expenditures within the appropriation therefor as may
7 be necessary to carry out the purpose of this Act. The agency
8 created by this Act is intended to be a successor to the agency
9 created under the Illinois Emergency Services and Disaster
10 Agency Act of 1975 and the personnel, equipment, records, and
11 appropriations of that agency are transferred to the successor
12 agency as of the effective date of this Act.

13 (c) The Director, subject to the direction and control of
14 the Governor, shall be the executive head of the Illinois
15 Emergency Management Agency and the State Emergency Response
16 Commission and shall be responsible under the direction of the
17 Governor, for carrying out the program for emergency management
18 of this State. The Director shall also maintain liaison and
19 cooperate with the emergency management organizations of this
20 State and other states and of the federal government.

21 (d) The Illinois Emergency Management Agency shall take an
22 integral part in the development and revision of political
23 subdivision emergency operations plans prepared under
24 paragraph (f) of Section 10. To this end it shall employ or
25 otherwise secure the services of professional and technical
26 personnel capable of providing expert assistance to the

1 emergency services and disaster agencies. These personnel
2 shall consult with emergency services and disaster agencies on
3 a regular basis and shall make field examinations of the areas,
4 circumstances, and conditions that particular political
5 subdivision emergency operations plans are intended to apply.

6 (e) The Illinois Emergency Management Agency and political
7 subdivisions shall be encouraged to form an emergency
8 management advisory committee composed of private and public
9 personnel representing the emergency management phases of
10 mitigation, preparedness, response, and recovery. The Local
11 Emergency Planning Committee, as created under the Illinois
12 Emergency Planning and Community Right to Know Act, shall serve
13 as an advisory committee to the emergency services and disaster
14 agency or agencies serving within the boundaries of that Local
15 Emergency Planning Committee planning district for:

16 (1) the development of emergency operations plan
17 provisions for hazardous chemical emergencies; and

18 (2) the assessment of emergency response capabilities
19 related to hazardous chemical emergencies.

20 (f) The Illinois Emergency Management Agency shall:

21 (1) Coordinate the overall emergency management
22 program of the State.

23 (2) Cooperate with local governments, the federal
24 government and any public or private agency or entity in
25 achieving any purpose of this Act and in implementing
26 emergency management programs for mitigation,

1 preparedness, response, and recovery.

2 (2.5) Develop a comprehensive emergency preparedness
3 and response plan for any nuclear accident in accordance
4 with Section 65 of the Department of Nuclear Safety Law of
5 2004 (20 ILCS 3310) and in development of the Illinois
6 Nuclear Safety Preparedness program in accordance with
7 Section 8 of the Illinois Nuclear Safety Preparedness Act.

8 (2.6) Coordinate with the Department of Public Health
9 with respect to planning for and responding to public
10 health emergencies.

11 (3) Prepare, for issuance by the Governor, executive
12 orders, proclamations, and regulations as necessary or
13 appropriate in coping with disasters.

14 (4) Promulgate rules and requirements for political
15 subdivision emergency operations plans that are not
16 inconsistent with and are at least as stringent as
17 applicable federal laws and regulations.

18 (5) Review and approve, in accordance with Illinois
19 Emergency Management Agency rules, emergency operations
20 plans for those political subdivisions required to have an
21 emergency services and disaster agency pursuant to this
22 Act.

23 (5.5) Promulgate rules and requirements for the
24 political subdivision emergency management exercises,
25 including, but not limited to, exercises of the emergency
26 operations plans.

1 (5.10) Review, evaluate, and approve, in accordance
2 with Illinois Emergency Management Agency rules, political
3 subdivision emergency management exercises for those
4 political subdivisions required to have an emergency
5 services and disaster agency pursuant to this Act.

6 (6) Determine requirements of the State and its
7 political subdivisions for food, clothing, and other
8 necessities in event of a disaster.

9 (7) Establish a register of persons with types of
10 emergency management training and skills in mitigation,
11 preparedness, response, and recovery.

12 (8) Establish a register of government and private
13 response resources available for use in a disaster.

14 (9) Expand the Earthquake Awareness Program and its
15 efforts to distribute earthquake preparedness materials to
16 schools, political subdivisions, community groups, civic
17 organizations, and the media. Emphasis will be placed on
18 those areas of the State most at risk from an earthquake.
19 Maintain the list of all school districts, hospitals,
20 airports, power plants, including nuclear power plants,
21 lakes, dams, emergency response facilities of all types,
22 and all other major public or private structures which are
23 at the greatest risk of damage from earthquakes under
24 circumstances where the damage would cause subsequent harm
25 to the surrounding communities and residents.

26 (10) Disseminate all information, completely and

1 without delay, on water levels for rivers and streams and
2 any other data pertaining to potential flooding supplied by
3 the Division of Water Resources within the Department of
4 Natural Resources to all political subdivisions to the
5 maximum extent possible.

6 (11) Develop agreements, if feasible, with medical
7 supply and equipment firms to supply resources as are
8 necessary to respond to an earthquake or any other disaster
9 as defined in this Act. These resources will be made
10 available upon notifying the vendor of the disaster.
11 Payment for the resources will be in accordance with
12 Section 7 of this Act. The Illinois Department of Public
13 Health shall determine which resources will be required and
14 requested.

15 (11.5) In coordination with the Department of State
16 Police, develop and implement a community outreach program
17 to promote awareness among the State's parents and children
18 of child abduction prevention and response.

19 (12) Out of funds appropriated for these purposes,
20 award capital and non-capital grants to Illinois hospitals
21 or health care facilities located outside of a city with a
22 population in excess of 1,000,000 to be used for purposes
23 that include, but are not limited to, preparing to respond
24 to mass casualties and disasters, maintaining and
25 improving patient safety and quality of care, and
26 protecting the confidentiality of patient information. No

1 single grant for a capital expenditure shall exceed
2 \$300,000. No single grant for a non-capital expenditure
3 shall exceed \$100,000. In awarding such grants, preference
4 shall be given to hospitals that serve a significant number
5 of Medicaid recipients, but do not qualify for
6 disproportionate share hospital adjustment payments under
7 the Illinois Public Aid Code. To receive such a grant, a
8 hospital or health care facility must provide funding of at
9 least 50% of the cost of the project for which the grant is
10 being requested. In awarding such grants the Illinois
11 Emergency Management Agency shall consider the
12 recommendations of the Illinois Hospital Association.

13 (13) Do all other things necessary, incidental or
14 appropriate for the implementation of this Act.

15 (Source: P.A. 93-249, eff. 7-22-03; 93-310, eff. 7-23-03;
16 94-334, eff. 1-1-06.)

17 Section 30. The Nuclear Safety Law of 2004 is amended by
18 changing Section 45 as follows:

19 (20 ILCS 3310/45)

20 Sec. 45. Appointment of Assistant Director. The Assistant
21 Director shall be an officer appointed by the Governor, with
22 the advice and consent of the Senate, and shall serve for a
23 term of 2 years beginning on the third Monday in January of the
24 odd-numbered year, and until a successor is appointed and has

1 qualified; except that the first Assistant Director under this
2 Act shall be the Director of Nuclear Safety. The Assistant
3 Director shall not hold any other remunerative public office.
4 The Assistant Director shall receive an annual salary as set ~~by~~
5 ~~the Governor from time to time or the amount set~~ by the
6 Compensation Review Board, ~~whichever is higher. If set by the~~
7 ~~Governor, the Assistant Director's annual salary may not exceed~~
8 ~~85% of the Governor's annual salary.~~

9 (Source: P.A. 93-1029, eff. 8-25-04.)

10 Section 35. The Compensation Review Act is amended by
11 adding Sections 2.1, 3.1, and 5.6 as follows:

12 (25 ILCS 120/2.1 new)

13 Sec. 2.1. "Set by Compensation Review Board"; meaning. If
14 salary or compensation is provided by law as set by the
15 Compensation Review Board, then that means the salary or
16 compensation in effect on the effective date of this amendatory
17 Act of the 96th General Assembly and as provided in Section 5.6
18 of the Compensation Review Act.

19 (25 ILCS 120/3.1 new)

20 Sec. 3.1. FY10 furlough days. During the fiscal year
21 beginning on July 1, 2009, every member of the General Assembly
22 is mandatorily required to forfeit 4 days of compensation. The
23 State Comptroller shall deduct the equivalent of 1/365th of the

1 annual salary of each member from the compensation of that
2 member in each of the first 4 months of the fiscal year.

3 (25 ILCS 120/5.6 new)

4 Sec. 5.6. FY10 COLA's prohibited. Notwithstanding any
5 former or current provision of this Act, any other law, any
6 report of the Compensation Review Board, or any resolution of
7 the General Assembly to the contrary, members of the General
8 Assembly, State's attorneys, other than the county supplement,
9 the elected constitutional officers of State government, and
10 certain appointed officers of State government, including
11 members of State departments, agencies, boards, and
12 commissions whose annual compensation was recommended or
13 determined by the Compensation Review Board, are prohibited
14 from receiving and shall not receive any increase in
15 compensation that would otherwise apply based on a cost of
16 living adjustment, as authorized by Senate Joint Resolution 192
17 of the 86th General Assembly, for or during the fiscal year
18 beginning July 1, 2009. That cost of living adjustment shall
19 apply again in the fiscal year beginning July 1, 2010 and
20 thereafter.

21 (25 ILCS 120/2 rep.)

22 (25 ILCS 120/3 rep.)

23 (25 ILCS 120/4 rep.)

24 (25 ILCS 120/5 rep.)

1 (25 ILCS 120/6 rep.)

2 Section 40. The Compensation Review Act is amended by
3 repealing Sections 2, 3, 4, 5, and 6.

4 Section 45. The Environmental Protection Act is amended by
5 changing Section 4 as follows:

6 (415 ILCS 5/4) (from Ch. 111 1/2, par. 1004)

7 Sec. 4. Environmental Protection Agency; establishment;
8 duties.

9 (a) There is established in the Executive Branch of the
10 State Government an agency to be known as the Environmental
11 Protection Agency. This Agency shall be under the supervision
12 and direction of a Director who shall be appointed by the
13 Governor with the advice and consent of the Senate. The term of
14 office of the Director shall expire on the third Monday of
15 January in odd numbered years, provided that he or she shall
16 hold office until a successor is appointed and has qualified.
17 The Director shall receive an annual salary ~~as set by the~~
18 ~~Governor from time to time or~~ as set by the Compensation Review
19 Board, ~~whichever is greater. If set by the Governor, the~~
20 ~~Director's annual salary may not exceed 85% of the Governor's~~
21 ~~annual salary.~~ The Director, in accord with the Personnel Code,
22 shall employ and direct such personnel, and shall provide for
23 such laboratory and other facilities, as may be necessary to
24 carry out the purposes of this Act. In addition, the Director

1 may by agreement secure such services as he or she may deem
2 necessary from any other department, agency, or unit of the
3 State Government, and may employ and compensate such
4 consultants and technical assistants as may be required.

5 (b) The Agency shall have the duty to collect and
6 disseminate such information, acquire such technical data, and
7 conduct such experiments as may be required to carry out the
8 purposes of this Act, including ascertainment of the quantity
9 and nature of discharges from any contaminant source and data
10 on those sources, and to operate and arrange for the operation
11 of devices for the monitoring of environmental quality.

12 (c) The Agency shall have authority to conduct a program of
13 continuing surveillance and of regular or periodic inspection
14 of actual or potential contaminant or noise sources, of public
15 water supplies, and of refuse disposal sites.

16 (d) In accordance with constitutional limitations, the
17 Agency shall have authority to enter at all reasonable times
18 upon any private or public property for the purpose of:

19 (1) Inspecting and investigating to ascertain possible
20 violations of this Act, any rule or regulation adopted
21 under this Act, any permit or term or condition of a
22 permit, or any Board order; or

23 (2) In accordance with the provisions of this Act,
24 taking whatever preventive or corrective action, including
25 but not limited to removal or remedial action, that is
26 necessary or appropriate whenever there is a release or a

1 substantial threat of a release of (A) a hazardous
2 substance or pesticide or (B) petroleum from an underground
3 storage tank.

4 (e) The Agency shall have the duty to investigate
5 violations of this Act, any rule or regulation adopted under
6 this Act, any permit or term or condition of a permit, or any
7 Board order; to issue administrative citations as provided in
8 Section 31.1 of this Act; and to take such summary enforcement
9 action as is provided for by Section 34 of this Act.

10 (f) The Agency shall appear before the Board in any hearing
11 upon a petition for variance, the denial of a permit, or the
12 validity or effect of a rule or regulation of the Board, and
13 shall have the authority to appear before the Board in any
14 hearing under the Act.

15 (g) The Agency shall have the duty to administer, in accord
16 with Title X of this Act, such permit and certification systems
17 as may be established by this Act or by regulations adopted
18 thereunder. The Agency may enter into written delegation
19 agreements with any department, agency, or unit of State or
20 local government under which all or portions of this duty may
21 be delegated for public water supply storage and transport
22 systems, sewage collection and transport systems, air
23 pollution control sources with uncontrolled emissions of 100
24 tons per year or less and application of algicides to waters of
25 the State. Such delegation agreements will require that the
26 work to be performed thereunder will be in accordance with

1 Agency criteria, subject to Agency review, and shall include
2 such financial and program auditing by the Agency as may be
3 required.

4 (h) The Agency shall have authority to require the
5 submission of complete plans and specifications from any
6 applicant for a permit required by this Act or by regulations
7 thereunder, and to require the submission of such reports
8 regarding actual or potential violations of this Act, any rule
9 or regulation adopted under this Act, any permit or term or
10 condition of a permit, or any Board order, as may be necessary
11 for the purposes of this Act.

12 (i) The Agency shall have authority to make recommendations
13 to the Board for the adoption of regulations under Title VII of
14 the Act.

15 (j) The Agency shall have the duty to represent the State
16 of Illinois in any and all matters pertaining to plans,
17 procedures, or negotiations for interstate compacts or other
18 governmental arrangements relating to environmental
19 protection.

20 (k) The Agency shall have the authority to accept, receive,
21 and administer on behalf of the State any grants, gifts, loans,
22 indirect cost reimbursements, or other funds made available to
23 the State from any source for purposes of this Act or for air
24 or water pollution control, public water supply, solid waste
25 disposal, noise abatement, or other environmental protection
26 activities, surveys, or programs. Any federal funds received by

1 the Agency pursuant to this subsection shall be deposited in a
2 trust fund with the State Treasurer and held and disbursed by
3 him in accordance with Treasurer as Custodian of Funds Act,
4 provided that such monies shall be used only for the purposes
5 for which they are contributed and any balance remaining shall
6 be returned to the contributor.

7 The Agency is authorized to promulgate such regulations and
8 enter into such contracts as it may deem necessary for carrying
9 out the provisions of this subsection.

10 (1) The Agency is hereby designated as water pollution
11 agency for the state for all purposes of the Federal Water
12 Pollution Control Act, as amended; as implementing agency for
13 the State for all purposes of the Safe Drinking Water Act,
14 Public Law 93-523, as now or hereafter amended, except Section
15 1425 of that Act; as air pollution agency for the state for all
16 purposes of the Clean Air Act of 1970, Public Law 91-604,
17 approved December 31, 1970, as amended; and as solid waste
18 agency for the state for all purposes of the Solid Waste
19 Disposal Act, Public Law 89-272, approved October 20, 1965, and
20 amended by the Resource Recovery Act of 1970, Public Law
21 91-512, approved October 26, 1970, as amended, and amended by
22 the Resource Conservation and Recovery Act of 1976, (P.L.
23 94-580) approved October 21, 1976, as amended; as noise control
24 agency for the state for all purposes of the Noise Control Act
25 of 1972, Public Law 92-574, approved October 27, 1972, as
26 amended; and as implementing agency for the State for all

1 purposes of the Comprehensive Environmental Response,
2 Compensation, and Liability Act of 1980 (P.L. 96-510), as
3 amended; and otherwise as pollution control agency for the
4 State pursuant to federal laws integrated with the foregoing
5 laws, for financing purposes or otherwise. The Agency is hereby
6 authorized to take all action necessary or appropriate to
7 secure to the State the benefits of such federal Acts, provided
8 that the Agency shall transmit to the United States without
9 change any standards adopted by the Pollution Control Board
10 pursuant to Section 5(c) of this Act. This subsection (l) of
11 Section 4 shall not be construed to bar or prohibit the
12 Environmental Protection Trust Fund Commission from accepting,
13 receiving, and administering on behalf of the State any grants,
14 gifts, loans or other funds for which the Commission is
15 eligible pursuant to the Environmental Protection Trust Fund
16 Act. The Agency is hereby designated as the State agency for
17 all purposes of administering the requirements of Section 313
18 of the federal Emergency Planning and Community Right-to-Know
19 Act of 1986.

20 Any municipality, sanitary district, or other political
21 subdivision, or any Agency of the State or interstate Agency,
22 which makes application for loans or grants under such federal
23 Acts shall notify the Agency of such application; the Agency
24 may participate in proceedings under such federal Acts.

25 (m) The Agency shall have authority, consistent with
26 Section 5(c) and other provisions of this Act, and for purposes

1 of Section 303(e) of the Federal Water Pollution Control Act,
2 as now or hereafter amended, to engage in planning processes
3 and activities and to develop plans in cooperation with units
4 of local government, state agencies and officers, and other
5 appropriate persons in connection with the jurisdiction or
6 duties of each such unit, agency, officer or person. Public
7 hearings shall be held on the planning process, at which any
8 person shall be permitted to appear and be heard, pursuant to
9 procedural regulations promulgated by the Agency.

10 (n) In accordance with the powers conferred upon the Agency
11 by Sections 10(g), 13(b), 19, 22(d) and 25 of this Act, the
12 Agency shall have authority to establish and enforce minimum
13 standards for the operation of laboratories relating to
14 analyses and laboratory tests for air pollution, water
15 pollution, noise emissions, contaminant discharges onto land
16 and sanitary, chemical, and mineral quality of water
17 distributed by a public water supply. The Agency may enter into
18 formal working agreements with other departments or agencies of
19 state government under which all or portions of this authority
20 may be delegated to the cooperating department or agency.

21 (o) The Agency shall have the authority to issue
22 certificates of competency to persons and laboratories meeting
23 the minimum standards established by the Agency in accordance
24 with Section 4(n) of this Act and to promulgate and enforce
25 regulations relevant to the issuance and use of such
26 certificates. The Agency may enter into formal working

1 agreements with other departments or agencies of state
2 government under which all or portions of this authority may be
3 delegated to the cooperating department or agency.

4 (p) Except as provided in Section 17.7, the Agency shall
5 have the duty to analyze samples as required from each public
6 water supply to determine compliance with the contaminant
7 levels specified by the Pollution Control Board. The maximum
8 number of samples which the Agency shall be required to analyze
9 for microbiological quality shall be 6 per month, but the
10 Agency may, at its option, analyze a larger number each month
11 for any supply. Results of sample analyses for additional
12 required bacteriological testing, turbidity, residual chlorine
13 and radionuclides are to be provided to the Agency in
14 accordance with Section 19. Owners of water supplies may enter
15 into agreements with the Agency to provide for reduced Agency
16 participation in sample analyses.

17 (q) The Agency shall have the authority to provide notice
18 to any person who may be liable pursuant to Section 22.2(f) of
19 this Act for a release or a substantial threat of a release of
20 a hazardous substance or pesticide. Such notice shall include
21 the identified response action and an opportunity for such
22 person to perform the response action.

23 (r) The Agency may enter into written delegation agreements
24 with any unit of local government under which it may delegate
25 all or portions of its inspecting, investigating and
26 enforcement functions. Such delegation agreements shall

1 require that work performed thereunder be in accordance with
2 Agency criteria and subject to Agency review. Notwithstanding
3 any other provision of law to the contrary, no unit of local
4 government shall be liable for any injury resulting from the
5 exercise of its authority pursuant to such a delegation
6 agreement unless the injury is proximately caused by the
7 willful and wanton negligence of an agent or employee of the
8 unit of local government, and any policy of insurance coverage
9 issued to a unit of local government may provide for the denial
10 of liability and the nonpayment of claims based upon injuries
11 for which the unit of local government is not liable pursuant
12 to this subsection (r).

13 (s) The Agency shall have authority to take whatever
14 preventive or corrective action is necessary or appropriate,
15 including but not limited to expenditure of monies appropriated
16 from the Build Illinois Bond Fund and the Build Illinois
17 Purposes Fund for removal or remedial action, whenever any
18 hazardous substance or pesticide is released or there is a
19 substantial threat of such a release into the environment. The
20 State, the Director, and any State employee shall be
21 indemnified for any damages or injury arising out of or
22 resulting from any action taken under this subsection. The
23 Director of the Agency is authorized to enter into such
24 contracts and agreements as are necessary to carry out the
25 Agency's duties under this subsection.

26 (t) The Agency shall have authority to distribute grants,

1 subject to appropriation by the General Assembly, for financing
2 and construction of municipal wastewater facilities. With
3 respect to all monies appropriated from the Build Illinois Bond
4 Fund and the Build Illinois Purposes Fund for wastewater
5 facility grants, the Agency shall make distributions in
6 conformity with the rules and regulations established pursuant
7 to the Anti-Pollution Bond Act, as now or hereafter amended.

8 (u) Pursuant to the Illinois Administrative Procedure Act,
9 the Agency shall have the authority to adopt such rules as are
10 necessary or appropriate for the Agency to implement Section
11 31.1 of this Act.

12 (v) (Blank.)

13 (w) Neither the State, nor the Director, nor the Board, nor
14 any State employee shall be liable for any damages or injury
15 arising out of or resulting from any action taken under
16 subsection (s).

17 (x) (1) The Agency shall have authority to distribute
18 grants, subject to appropriation by the General Assembly,
19 to units of local government for financing and construction
20 of public water supply facilities. With respect to all
21 monies appropriated from the Build Illinois Bond Fund or
22 the Build Illinois Purposes Fund for public water supply
23 grants, such grants shall be made in accordance with rules
24 promulgated by the Agency. Such rules shall include a
25 requirement for a local match of 30% of the total project
26 cost for projects funded through such grants.

1 (2) The Agency shall not terminate a grant to a unit of
2 local government for the financing and construction of
3 public water supply facilities unless and until the Agency
4 adopts rules that set forth precise and complete standards,
5 pursuant to Section 5-20 of the Illinois Administrative
6 Procedure Act, for the termination of such grants. The
7 Agency shall not make determinations on whether specific
8 grant conditions are necessary to ensure the integrity of a
9 project or on whether subagreements shall be awarded, with
10 respect to grants for the financing and construction of
11 public water supply facilities, unless and until the Agency
12 adopts rules that set forth precise and complete standards,
13 pursuant to Section 5-20 of the Illinois Administrative
14 Procedure Act, for making such determinations. The Agency
15 shall not issue a stop-work order in relation to such
16 grants unless and until the Agency adopts precise and
17 complete standards, pursuant to Section 5-20 of the
18 Illinois Administrative Procedure Act, for determining
19 whether to issue a stop-work order.

20 (y) The Agency shall have authority to release any person
21 from further responsibility for preventive or corrective
22 action under this Act following successful completion of
23 preventive or corrective action undertaken by such person upon
24 written request by the person.

25 (Source: P.A. 92-574, eff. 6-26-02; 93-152, eff. 7-10-03.)

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.".